

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-40507  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JULIAN FELIPE GONZALEZ OLIVARES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:01-CR-208-1

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February 20, 2003

Before WIENER, EMILIO M. GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Julian Felipe Gonzalez Olivares ("Olivares") appeals his guilty-plea conviction and sentence for being an alien unlawfully found in the United States after deportation. 8 U.S.C. § 1326. He argues that his prior marijuana-possession conviction was not an aggravated felony for purposes of U.S.S.G. § 2L1.2(b)(1)(C)(2001). Olivares's challenge to the adjustment of his offense level under U.S.S.G. § 2L1.2(b)(1)(C)(2001) is without merit. See United States v. Caicedo-Cuero, 312 F.3d 697, 706-11 (5th Cir. 2002).

AFFIRMED.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.